

## REMARKS

After entry of the above amendments, claims 1-6 and 18-31 will be pending in the present application. Claims 2-3 and 6 have been amended to delete unnecessary language, to explicitly recite what was implicit, to further clarify the invention, and/or to correct informalities. New claims 18-31 have been added. Support for the claim amendments and the new claims can be found, for instance, on pages 4-6, 13, 16-17, and 19-20 of the specification. Applicant reserves the right to pursue any cancelled claim and any amended claim in its original form in a continuation application. No new matter has been added.

### Objections to the Specification

The abstract has been objected to because numbers are not formed in a parenthesis. Applicant has amended the abstract to delete the numbers from the abstract. Therefore, withdrawal of the objections to the abstract is respectfully requested.

### Objections to the Claims

Claims 2-3 and 6 have been objected to on the basis of informalities. In the Office action, the Examiner states:

Regarding claim 2, line 2, it is unclear because the term of “a type of application to be displayed in said window” is not understood. What does applicant mean of “the type of application” and also, there is no structure to be defined the type of the application provided in the structure of the claim. Please clarify.

By applying art, the examiner assumes that “said evaluator detects the feature displayed on the screen.”

Regarding claim 3, line 1, it is unclear because the examiner does not or confuse that how or what is the “method displayed the data of the application.” Further, there is no structure that defined what is the “method” that be displayed in the window, and how does it work or perform?

By applying art, the examiner assumes that “said evaluator detects the feature displayed on the screen.”

Regarding claim 6, it is unclear because the examiner that confuses whether the rate of size of the window that being already set by the controller then how can it be set by the evaluator to the size of the screen of the display unit that is over a certain value. What is a value of the certain value that being set. Please, clarify the claim.

(January 5, 2007 Office action, pgs. 2-3).

With respect to claim 2, Applicant respectfully directs the Examiner to, for example, page 19, line 18 to page 20, line 7 of the specification, which discusses the different types of applications that may be used to adjust screen brightness, such as a word processing application and a spreadsheet application. Therefore, it is respectfully submitted that one of ordinary skill in the art would not find the term “a type of application to be displayed,” as recited in claim 2, to be unclear or confusing.

With respect to claim 3, Applicant has amended claim 3 to recite “wherein said evaluator detects whether a method by which data is displayed in said window uses a CPU,” which is discussed, for example, on page 5, lines 13-17, and page 20, lines 8-13 of the specification.

With respect to claim 6, Applicant has amended claim 6 to recite “wherein said display controller controls the brightness of said screen of said display unit according to whether a ratio of a size of said window to a size of said screen of said display unit is over a certain value,” which is discussed, for example, on page 19, lines 10-17 of the specification.

Accordingly, based at least on the reasons above, Applicant respectfully requests withdrawal of the objections to claims 2-3 and 6.

§ 102 Rejections

Claims 1-6 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,222,323 to Yamashita et al. (hereinafter “Yamashita”). In the Office action, the Examiner states:

As to claim 1, Yamashita et al. discloses a brightness controlling apparatus (a display device, see figure 8), comprising:  
 an evaluator (10, column 7, line 3) displayed on a screen (6, column 7, line 1) of a display unit; and  
 a display controller (9, column 7, line 2) detected by said evaluator (10).

(January 5, 2007 Office action, pg. 3).

Claim 1, however, recites:

A brightness controlling apparatus, comprising:  
 an evaluator for detecting a feature of a certain window displayed on a screen of a display unit; and  
 a display controller for controlling the brightness of said screen of said display unit according to said feature of said window, detected by said evaluator.

Hence, contrary to the Examiner’s assertions, claim 1 does not recite “a brightness controlling apparatus comprising: an evaluator displayed on a screen of a display unit; and a display controller detected by said evaluator.”

In addition, based on the Examiner’s comments, the Examiner appears to be construing the “brightness setter 10” in Yamashita as disclosing the “evaluator for detecting a feature of a certain window displayed on a screen of a display unit,” as recited in claim 1. Although the “brightness setter 10” in Yamashita “determines a brightness level of light-emitting elements based on external information” (col. 7, lns. 5-7 of Yamashita), Yamashita does not disclose, teach, or suggest that the “brightness setter 10” is able to “detect[] a feature of a certain window

displayed on a screen of a display unit.” In fact, the term “window” cannot be found anywhere in Yamashita.

Accordingly, based at least on the reasons above, Applicant respectfully submits that claim 1, and the claims that depend therefrom, are not anticipated by Yamashita.

#### New Claims


Newly added claim 21 recites “an evaluator that evaluates a display brightness of a window displayed on a screen of a display unit.” Since, as discussed above, Yamashita does not even use the term “window,” it is respectfully submitted that claim 21, and the claims that depend therefrom, are not anticipated by Yamashita.

#### CONCLUSION

On the basis of the above remarks, reconsideration and allowance of the claims is believed to be warranted and such action is respectfully requested. If the Examiner has any questions or comments, the Examiner is respectfully requested to contact the undersigned at the number listed below.

Respectfully submitted,  
SAWYER LAW GROUP LLP

Dated: April 5, 2007

  
\_\_\_\_\_  
Erin C. Ming  
Attorney for Applicant  
Reg. No. 47,797  
(650) 475-1449